

Customer Number: 000959

**DIVISIONAL CONTINUATION APPLICATION TRANSMITTAL FORM
UNDER RULE 1.53(b) (former Rule 1.60)**

#01A
8.9.99
RP66/01/99
JC503 U.S. PTO

| | | | | |
|---------------|---|-----------|--|--|
| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | | PRIOR APPLICATION SERIAL NUMBER: 08/312,429 | PRIOR APPLICATION FILING DATE: SEPTEMBER 26, 1994 |
| IGI-001CN3 | CLASS: | SUBCLASS: | EXAMINER: S. PRIEBE | ART UNIT: 1632 |

ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, DC 20231

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: June 18, 1999Mailing Label Number: EL266738477US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Deise K. Timas

Name of Person Mailing Paper

Deise K. Timas

Signature of Person Mailing Paper

JC503 U.S. PRO
09/31/99
06/18/99

Dear Sir:

This is a request for filing a continuation divisional application under 37 CFR 1.53(b), of pending prior application serial no. 08/312,429 filed on September 26, 1994, of David Ward et al. entitled Delineation of Individual Human Chromosomes in Metaphase and Interphase Cells by In-Situ Suppression Hybridization which in turn is a continuation application of serial no. 07/837,664 filed on February 14, 1992, which in turn is a continuation-in-part of 07/271,609 filed November 15, 1988, now abandoned.

1. Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:
 - 79 page(s) of specification
 - 5 page(s) of claims
 - 1 page(s) of abstract
 - 15 sheet(s) of drawing
 - 18 page(s) of executed declaration and power of attorney
 - 27 page(s) of Preliminary Amendment filed February 14, 1992.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 07/271,609 as originally filed on November 15, 1988 and a copy of the preliminary amendment filed in serial no. 07/837,664 as originally filed on February 14, 1992.

2. A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. The filing fee is calculated below:

| | NUMBER OF CLAIMS FILED | | | NUMBER EXTRA |
|--|------------------------|-----------|----|--------------|
| TOTAL * | 18 | MINUS ** | 20 | = 0 |
| INDEP. * | 8 | MINUS *** | 3 | = 5 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS | | | | |

| SMALL ENTITY | | OTHER THAN A SMALL ENTITY | | |
|--------------|---------|---------------------------|-----------|------------|
| RATE | FEES | OR | RATE | FEES |
| x 9 = | \$.00 | | x 18 = | \$ 0.00 |
| x 39 = | \$.00 | | x 78 = | \$ 390.00 |
| +130 = | \$.00 | | + 260 = | \$.00 |
| BASIC FEE | \$.00 | | BASIC FEE | \$ 760.00 |
| TOTAL | \$ 0.00 | | TOTAL | \$ 1150.00 |

4. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
5. A check in the amount of \$1150.00 is enclosed for payment of the filing fee.
6. Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
8. Amend the specification by inserting before the first line the sentences: "This application is a continuation application of serial no. 08/312,429 filed on September 26, 1994, Allowed, which in turn is a continuation application of serial no. 07/837,664 filed on February 14, 1992, which in turn is a continuation-in-part of 07/271,609 filed November 15, 1988, now abandoned. The contents of all of the aforementioned application(s) are hereby incorporated by reference."
9. Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
10.
11. Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
 - The certified copy has been filed in prior application serial no. _____ filed on _____.
 - The certified copy will follow.
12. The prior application is assigned of record to Yale University.
13. Also enclosed is/are a substitute specification which incorporates the amendments to the original attached specification which were filed on February 14, 1992, January 23, 1995, and April 29, 1996.
14. Also enclosed is/are a copy of the amendments to the original specification which were filed on February 14, 1992, January 23, 1995 and April 29, 1996 and which have been incorporated into the substitute specification.
15. The power of attorney in the prior application is to Lahive & Cockfield, LLP.
 - a. The power appears in the original papers in the prior application.
 - b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 - c. A new power has been executed and is attached.
16. Also enclosed is an associate power of attorney filed in the prior application.
17. Also enclosed is a copy of the Assignment from the parent application (08/312, 429) which was recorded 2/18/99 at Reel 9778, Frame 0675 (23 pages).
18. Address all future communications (May only be completed by applicant, or attorney or agent of record) to Giulio A. DeConti, Jr. at Customer Number: 000959 whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

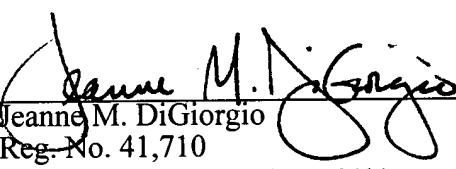
19. Any requests for extensions of time necessary in a parent application for establishing copendency between this application and parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.
20. Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. _____ . Please use the computer readable form of application serial no. _____ in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. _____ are the same.

Date

18 June 1999

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Tel. (617) 227-7400

Jeanne M. DiGiorgio
Reg. No. 41,710


 inventor(s) filed under §1.34(a)
 assignee of complete interest
 attorney or agent of record

UNITED STATES APPLICATION FOR LETTERS PATENT

JC503 U.S. PRO
09/335956

06/16/99

Inventor(s): David C. Ward, Peter Licher, Thomas Cremer
and Laura Manueldis

Attorney's Docket No.: YU88-01

Title: DELINEATION OF INDIVIDUAL HUMAN CHROMOSOMES
IN METAPHASE AND INTERPHASE CELLS BY IN SITU
SUPPRESSION HYBRIDIZATION

EXPRESS MAIL Mailing Label No. B29717083

Date of Deposit November 15, 1988

I hereby certify that this paper or fee is
being deposited with the United States Postal
Service "Express Mail Post Office to Addressee"
service under 37 C.F.R. 1.10 on the date indicated
above and is addressed to the Commissioner of
Patents and Trademarks, Washington, D. C. 20231.

Barbara A. Fitzgibbons

(Typed or printed name of person mailing paper
or fee)

Barbara A. Fitzgibbons

(Signature of person mailing paper or fee)

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

06/29/1999 KHLRILING 00000053 09335956

01 FC:101 760.00 DP
02 FC:102 390.00 DP

PTO-1556
(5/87)